

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

PUSH DATA LLC,

Plaintiff,

v.

PANERA BREAD COMPANY,

Defendant.

Civil Action No. 4:20-cv-781-ALM

DEMAND FOR JURY TRIAL

NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff Push Data LLC (“Plaintiff”) hereby dismisses this action with prejudice. According to Rule 41(a)(1), an action may be dismissed by the Plaintiff without order of court by filing a notice of dismissal at any time before service by the adverse party of an answer. Defendant Panera Bread Company (“Defendant”) has not yet answered the Complaint. Accordingly, Plaintiff voluntarily dismisses this action against Defendant with prejudice pursuant to Rule 41(a)(1). Each party shall bear its own costs, expenses, and attorneys’ fees.

DATED: February 8, 2021

Respectfully submitted,

DEVLIN LAW FIRM LLC

/s/Timothy Devlin

Timothy Devlin

tdevlin@devlinlawfirm.com

1526 Gilpin Ave.

Wilmington, Delaware 19806

Telephone: (302) 449-9010

Facsimile: (302) 353-4251

Attorneys for Plaintiff

Push Data LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system.

/s/ Timothy Devlin
Timothy Devlin